



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEB 27 2018

Judith M. Daubenmier

Brighton, MI 48116

RE: MUR 7297

Dear Ms. Daubenmier:

The Federal Election Commission reviewed the allegations in your complaint received on November 14, 2017. On February 20, 2018, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Making Bold Initiatives + Solutions to Help America (M-BISH PAC) and Val Tillstrom, in her official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on February 20, 2018. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: Jeff S. Jordan
Assistant General Counsel

Enclosure
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7297

**Respondents: Making Bold Initiatives + Solutions
to Help America (M-BISH PAC)
and Val Tillstrom, as treasurer
(the "Committee")
Mike D. Bishop**

Complaint Receipt Date: November 14, 2017

Response Date: December 21, 2017

EPS Rating:

Alleged Statutory

52 U.S.C. § 30104(a)(4), (b)

Regulatory Violations:

11 C.F.R. §§ 104.3(a)(4)(i); 104.5(c)

The Complainant alleges that the Committee failed to timely file three required reports with the Commission, and failed to disclose a \$1,000 contribution on its 2017 Mid-Year Report.¹ The Committee responds that it has since filed the three reports, and their timeliness has been addressed by the Commission.² The Committee also states that, while the \$1,000 contribution may have been made in June 2017, it was not received until July 2017 and, thus, not subject to disclosure on its Mid-Year Report.³

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in

¹ Compl. at 1.

² See Resp. at 2 n.12.

³ *Id.* at 2. Mid-Year Reports filed with the Commission cover political activity between January 1 and June 30 of the calendar year. 11 C.F.R. § 104.5(c)(2).

potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the low amounts at issue, and the fact that the reports at issue have been filed, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.⁴ *See Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all the Respondents and send the appropriate letters.

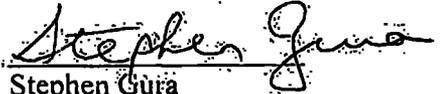
Lisa J. Stevenson
Acting General Counsel

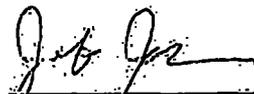
Kathleen M. Guith
Associate General Counsel

2.6.18

Date

BY:


Stephen Gura
Deputy Associate General Counsel


Jeff S. Jordan
Assistant General Counsel


Jonathan A. Peterson
Attorney

⁴ The three reports that the Complaint alleges the Committee filed late are the 2016 Post-General Report, 2016 Year-End Report, and 2017 Mid-Year Report. Compl. at 2. The Reports Analysis Division ("RAD") previously sent the Committee Requests for Additional Information concerning these reports, and the Committee subsequently filed them. The Committee disclosed \$7,800 in contributions and no expenditures on its 2016 Post-General Report; no contributions or expenditures on the 2016 Year-End Report; and \$1,400 in contributions and \$2,174.38 in expenditures on the 2017 Mid-Year Report.